IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929

WA.No. 1331 of 2007()

AGAINST THE JUDGEMENT IN OP.9844/1998 Dated 23/01/2007
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APPELLANTS: RESPONDENTS IN OP:
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1. THE STATE OF KERALA,
   REPRESENTED BY ITS FOREST SECRETARY TO GOVERNMENT,
   SECRETARIAT, THIRUVANANTHAPURAM.

2. THE PRINCIPAL CHIEF CONSERVATOR OF
   FORESTS, THIRUVANANTHAPURAM.

3. THE DIVISIONAL FOREST OFFICER,
   DIVISIONAL FOREST OFFICER, THRISSUR DIVISION,
   THRISSUR.

4. THE DIVISIONAL FOREST OFFICER,
   DIVISIONAL FOREST OFFICE, VAZHACHAL DIVISION,
   CHALAKUDY.

5. THE DIVISIONAL FOREST OFFICER,
   DIVISIONAL FOREST OFFICE, PARAMBIKULAM DIVISION,
   VIA. POLLACHI.

6. THE DISTRICT COLLECTOR,
   COLLECTORATE, THRISSUR.

7. THE TAHSILDAR,
   TALUK OFFICE, THRISSUR.

8. THE DEPUTY TAHSILDAR (RR),
   THRISSUR-20.

BY GOVERNMENT PLEADER

RESPONDENT: PETITIONER IN OP:

U. KANDRU,
RANGE OFFICER (RETIRED), LAKSHMI NIVAS,
MADAMBI LANE, THRISSUR-4.

BY ADV. SRI.K.S.BABU
SMT.N.SUDHA

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 19/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.Radhakrishnan
&
Antony Dominic, JJ.
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W.A.No.1331 of 2007
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Dated this the 19th day of June, 2007.

JUDGMENT

Radhakrishnan,J.

We find no error in the findings entered by the learned single Judge. The facts would show that no liability was fixed on the petitioner with notice to him within three years from the date of his retirement as provided under Note 3 to Rule 3 of Part III of Kerala Service Rules. Therefore no amount can be recovered from his DCRG.

In the circumstances, we find no reason to interfere with the judgment of the learned single Judge. Writ Appeal is dismissed.

K.S.Radhakrishnan,
Judge.

Antony Dominic,
Judge.

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